

4VAC15-260-86 (New)

Game: Waterfowl and Waterfowl Blinds: Non-riparian stationary blinds adjacent to select National Wildlife Refuges.

Summary:

The proposal is to prohibit non-riparian stationary blinds adjacent to select National Wildlife Refuges managed by the U.S. Fish and Wildlife Service. This will provide more equitable public waterfowl hunting opportunity adjacent to these properties.

Proposed language of amendment:

4 VAC 15-260-86. Non-riparian stationary blinds adjacent to select National Wildlife Refuges.

A. Non-riparian stationary waterfowl blinds shall not be licensed or erected on the shores of or in the public waters adjacent to designated National Wildlife Refuges (identified below), unless otherwise specified in code or regulation.

1. James River NWR
2. Plum Tree Island NWR
3. Occoquan Bay NWR
4. Featherstone NWR

B. Floating waterfowl blinds shall be permitted on the public waters adjacent to the specified refuges, unless otherwise specified in code or regulation. Additionally, as permitted in Section §29.1-351 of the Code of Virginia, the distance restrictions set forth in Licenses for Waterfowl Blinds and for Hunting Waterfowl, sections §§ 29.1-340 to 29.1-351.1 of the Code of Virginia shall not apply to floating waterfowl blinds being used on the public waters adjacent to the specified refuges.

C. For purposes of this regulation, adjacent waters are defined as all water from mean low tide to 600 yards offshore.

D. Any person who holds a 2022-23 non-riparian stationary waterfowl blind licenses in the areas specified in Section A is permitted to renew their license for each of their blinds for the 2023-24 and 2024-25 waterfowl hunting seasons. In any case, licenses for these blinds will expire no later than August 15, 2025. Per §29.1-347, blind structures must be removed when the license expires or when the license holder no longer intends to use the blind, whichever occurs first.

E. This section shall not abridge the privileges prescribed for landowners and their lessees and permittees in §§ 29.1-344 and 29.1-347-of the Code of Virginia.

Rationale:

Non-riparian stationary blinds in waters adjacent to public lands prevent float blind hunting within 500 yards in all directions (a 1000-yard diameter). This significantly reduces public waterfowl hunting opportunity in these public waters. The USFWS has recently attempted to open additional lands for public waterfowl hunting, but non-riparian blinds in those areas have restricted their ability to provide these opportunities. This proposal provides more equitable opportunity and uniformity in the use of the public waters for waterfowl hunting off the shores of these selected National Wildlife Refuges. Additionally, this proposal would improve the ability of the U.S. Fish and Wildlife Service and the Department to manage hunter access on these properties.

There is roughly 18 miles of shoreline around these National Wildlife Refuge properties that could provide more equitable public hunting opportunities if this proposal were adopted. Approximately 40 non-riparian blind licenses are located along the shoreline adjacent to the specified refuges. This proposal would allow those licensees to retain their license for two additional waterfowl hunting seasons (the 2023-2024 and 2024-2025 seasons) prior to having those licenses expire.